FOR MYSORE STATE

31-1-56.

.E. & .A. (195 6) Department.

R. SERIES.

G.O. No. 104 I.A.

104.

Dated 1st February 1956

[Despatch Abstract.]

Land Acquisition - South Kanara District - Mangalore Municipality - Attavar village - T.S.Nos. 21/1 etc. - For widening the Falnir Road - Notification under Section 4(1) of the Land Acquisition Act - Published.

Ref.Kl.27230-[illegible]

S.Kanara Collector's office,
Mangalore dated 13.1.56.

From

Sri M.G.Raja Ram,I.A.S.
Collector of South Kanara.

To

The Secretary to Government,
Health,Education and Local Administration Department,
Fort St. George Madras (in duplicate)

Sir,

LAND ACQUISITION--South Kanara- Mangalore taluk and town-Attavar- T.S.Nos.21/1 etc- For widening the Falnir road-Draft 4(1) notification--Submitted.

ASSISTANT SECRETARY TO GOVERNMENT
7408
21 JAN 1956
HEALTH, EDUCATION & LOCAL ADMIN. DEPT.

The Commissioner Mangalore Municipality has applied for the acquisition of portions of T.S.Nos.34/1, 35/A, 38,21,19, 15/B, 15/D, 15/C, 12,10/A1, 51 and 52 of Attavar for widening the Falnir road from Hampankatta to Sturrock road junction within the Mangalore Municipality.The Municipal council has approved the proposal and agreed to abide by the conditions of acquisition in resolution Nos.1203/26.6.54 and 233 dated 12.2.55. The council has also made necessary provision in the budget.The Commissioner reports that the road in question is narrow and there is hardly any space for two vehicles to pass abreast. The Director of Town Planning has approved the alignment.The de-width of the road has been kept at 50'.

2. T.S.No.21 portion of which is proposed to be notified for acquisition is Inam land standing in the name of the Milagres Church.The area proposed to be acquired contains the following improvements belonging to the church.

(1) A corner projection of the granite basement of the Grotto, on the hind portion of it, to a height of about 2' to 3' and roughly 1½' long.

(2) Portion of the Parochial house consisting of a portion of the dining hall and a small store room and portion of verandah with storey.

(3)About 20' portion of a tiled building used as kitchen and store-rooms with latrines and other appurtances attached to it,

(4)Portion of ~~buildin-~~ burial ground with 4 cemented memorial tombs and 60 old graves.

3. As for No.1 above, a small corner projection of the lower basement of the Grotto is involved, which can even be, without obstruction to the widening of the road, be retained as it is or even removed or repaired. This alone would not, in any way be injurious to any religious feeling or sentiments.The [illegible]

the Board of Administration of the church has no objection on this score. As regards Nos.2-3 the buildings involved are not consecrated to church services or used for any religious performances. Both of them are residential quarters, used for boarding and lodging by the priests and other church dignitories. They also do not form an integral part of the main church building. No.3 is altogether a seperate building, and No.2 an extension wing of the main building. There is no real sentimental objection to the acquisition of these buildings. The burial ground, contains 4 memorial tombs and 60 graves. In the case of the latter, there can be no objections to acquire the portion of land as there are no memorial tablets or permanent tombs over all these burials. As regards the former the objections can be met by allowing the relatives of the deceased to take out the remains and rebury the same somewhere else. The Board of Administration of the Church once objected to the acquisition of T.S.No.21 but on an appeal by the chairman of the Municipality reconsidered the entire matter and has now withdrawn its objection. The copies of the resolution of the Board of Administration, statement of the President of the Board and the letter of the Chairman are enclosed for information.

The plots except T.S.No.21 do not contain any graves, tombs or religious edifices. The estimated cost of acquisition is Rs.5000. The acquisition is for a public purpose namely for widening the existing road. I am submitting draft notifications under Section 4(1) of the L.A.Act in respect of the above plots which may be approved and got published in the Port St. George Gazette.

Yours faithfully,

9.1.50
For Collector.

W 9/1

3

Extract from the proceedings of the Mangalore Municipal council dated 12.2.1955.

E3/10870/53. This office Ref.E3/10870/53 dated the 23rd Septr 54 requesting the Land Acquisition Officer to acquire the lands as per approved plan No.T.P.31/1954, dated the 1st June 1954 of the Director of Town Planning, Madras for widening Falnir road from Hampankatta via Milagres Church to Sturrock road junction.

2.Ref.No.M.Dis.24224/1954 dated the 9th October 1954 from the Land Acquisition Officer requesting to certify that funds are actually provided for in the budget to meet the cost of acquisition and also a council resolution agreeing to abide by the following conditions of acquisition.

1.Sanctioning funds.

2.Agreeing to pay enhanced compensation together with incidental charges if any that might be awarded by the court in the event of a reference under section 18 of the L.A.Act or an appeal therefrom.

3. Undertaking to use the land for the purpose of road and for no other purposes without the sanction of Government.

4.To use the land for that purpose wit in a period of two years from the date of handing over the land.

5.To restore the land to the Government if they so direct on payment of compensation awarded less 15% awarded for compulsory acquisition or of the value of land at the time of restoration whichever may be less in the event of the local body no carrying out the purpose for which the land is acquired within the specified period or using the land without the sanction of Government at any time for any purpose other than for which it is acquired.

Note. The council may agree to abide by the conditions of acquisition.The cost of acquisition is proposed to be met from the funds ~~of~~ to the extent of Rs.15000 provided in the budget for 55-56.

~~xxxxxxxx~~ C.R.No.233 dated 12.2.55.

NECESSARY FUNDS ARE SANCTIONED. COUNCIL AGREES TO ABIDE BY THE CONDITIONS.

Sd/ K.S.N.Adiga
Chairman,T.A.

-True copy-

S.Kanara Collector's office)
Mangalore dated -1-1956)

19.1.56
for Collector.

M 18/1

5

Extract from supplemen al agenda of municipal council Mangalore dated the 26th June 1954.

I3/10870/53. Sanction of the council is requested for the acquisition of lands to widen the Falnir road from Hamankatta junction to up to Sturrock road as per approved plan No.T.I.31/54 dated the 1st June 1954.The council is also requested to agree to abide by the following conditions of acquisition. There is a provision of Rs.11000 in the Budget estimate for this item of work.

Conditions:-

1.Sanctioning funds

2.Agreeing to pay extra compens tion if any that might be awarded by the court s ould the case be referred to it

3.Undertaking to use the land for the purpose of road and for no other purpose as without the sanction of Government.

4.To use the land for that purpose within a period of two years from the date of handing over the land.

5.To restore the land to the Govern ent if they so direct on payment of compensation awarded less fifteen percent awarded for compulsory acquisition or of the value of land at the time of restoration whichever may be less in the event of the local body not carrying out the purpose for which the land is acquired within the specified period of using the land without the sanction of Government at any time for any purpose other than for which it is acquired

C.R.No.1203, 26.6.54

The Collector may be addressed for acquisition of necessary lands for widening as per the approved layout. The necessary funds are sanctioned, the council agrees to abide by the conditions of acquisition.

Sd/ K.S. Adiga
Chairman,M.C.

-True copy-

S.Manara Collector's office)
Mangalore dated - 1-56)

19-1-56
—For Collector.

Statement of Rev.Fr.A.V.D'Souza President of the Church Board of Administration,Milagres Church Mangalore obtained by the Special Revenue Inspector of L.A.Mangalore on 2.7.55.

Understood the contents of Collector's Memo.A1.6308/55 dated 29.6.55. I have to consult the church Board of administrators as regards the proposed acquisition of land in S.No.31 of Attaver village before I give any definite opinion about the objectionability or otherwise of the proposed acquisition. I shall call an emergency meeting of the Board by Monday(4.7.55) and let our views known by the following Tuesday.Time till then may be granted.

Read by me and found correct.

-True copy.

M(4/1

Proceedings of the First Meeting of the Board of Administration Milagres,Mangalore held on Sunday the 3rd day of July 1955 at 10.30 A.M.

The subject matter of the meeting is the following.

1. xx xx

II.To decide about the acquisition notice received from the Special Revenue Inspector for Land Acquisition dated 2nd July 1955 Memo.1-6-37/64 in respect of a portion of the church plot comprising a part of Parochial House,Kitchen, Cemetery etc.

Resolved: The Board strongly objects to the Acquisition of the portion of the Church porperty lying to the South of the Pedestrian Falnir Road,since it includes a portion of the Cemetery which is highly objectionable and is apt to wound the religious sentiments of the people as it amounts to desecration of the graves of their dear departed.Besides there is also the Grotto of Our Lady of Lourdes and the Parochial House and Kitchen.

The Board has no objection to the land being acquired along the Northern side provided adequate compensation is paid in respect of the site as well as the buildings,and the acquisition is made under the provisions of the Land Acquisition Act.

-True copy-

4/7/55

(True) copy of letter dated 5th August 1955 from the Chairman Municipal Council Mangalore to The Vicar, Milagres Church Mangalore

--

Mangalore Municipality-Town Planning-Milagres Church Road-widening

--

Letter No. K1.8308/55 dated 15.7.55 of the Land Acquisitio Officer enclosing a copy of the proceedings of the Church Board Meeting 3.7.55

--

From the above proceedings of the Board of administration of Milagres Church it is seen that the widening of the Road has been strongly objected to for the reasons given in the resolution of the board. The site has been inspected by the Town Planning Officer of this Municipality with you on 29.7.55. The widening of the road has been demarcated. From the demarcation made it has been made clear that the Grotto is not at all affected and in the widening portion of the Burial ground there are only three built up tombs and others are only burials. In the case of burials it may be understood that the place of burial and graves could be shifted. Hence the question of sentimental objections by the people does not arise. As the number of tombs are only three the same can be shifted to the vacant place of the burial ground and rebuilt. In the interest of public at a large for whom the widening of the road is necessary for avoiding the accidents that may take place the above objections may be waived by the church board and widening agreed to.

Regarding the compensation to the buildings affected your kind attention is invited to the proceedings of the Board of administration of the Church held on 14.12.1951. It is also not known whether the present church board were aware of the proceedings and if it is not, the same may be placed before the board and reconsider the issue i.e. not claiming compensation for the buildings on the northern side except the site. The municipality will pay any reasonable compensation as may be fixed by the Land Acquisition Officer both for the land and buildings affected by the widening.

I request you to put forth the above facts before the Board of Milagres Church. It may also be explained that in view of the heavy traffic on this road and to avoid accidents and in the

(8). As for the Southern side of the road is enough the

interest of Children attending Milagres High school, the widening as proposed and demarcated is absolutely necessary. Although widening of the road is to 50' the actual metalled portion where the actual traffic is running will not be more than 25 feet and a sufficient road margin as platform will be left so that there will not be any vibration on the buildings beyond the widening. As the matter is pending for a number of years and the municipalityis anxious to take up the worksoon the matter may kindlybe expedited and a reply sent so that the Land Acquisition Officer canbe informed to take up the acquisition proceedings.

Sd. K.S.N.Adiga,
Chairman.

-True copy-

19.1.56
for Collector

(True) copy of letter from the President Board of Administration Milagres Church, Mangalore-1 to the Chairman municipal council Mangalore.

--

Mangalore Municipality-Town Planning - Milagres Church road widening.

--

Your letter dated 5th August, 1955 was considered by the Board of Management of the Church and the resolution passed by it is forwarded herewith.

The Board desires me to inform you that it is very anxious that the acquisition proceedings may be expedited in public interest.

-True copy-

RESOLUTION NO.1 PASSED ON 14.8.55.

In view of the letter dated 5th August, 1955, of the Chairman Mangalore Municipality, regarding the acquisition of the land adjoining the Church and lying on the northern side, the Board reconsiders its resolution passed on 3.7.55 and hereby resolves to limit its claim for compensation on the northern side to only the site value. The superstructures belonging to the Church existing on the site will be removed by the Church authorities.

-True copy- 19.1.56 For Collector

Statement of Rev.Fr.A.V.D'Souza President of the Church Board of Administration Milagres Church Mangalore obtained by the Special Revenue Inspector for Land Acquisition.

--

The Board of Administration Milagres church Mangalore has resolved to limit its claim for compensation in respect of the plots to be acquired for the extension of Milagres Church Road. The Board of Administration has also no objections to the acquisition of the site containing the burials and now under acquisition proposal. It has also no objection to the acquisition of the portion of the Parochial house and other superstructes. The church Board of Administration proposes to remove the superstructures existing on the northern side of the Milagres church road leading to Falbir and give the land to the Acquiring department on payment of land value.

-True copy- 19.1.56 For Collector

18/1

Ref.Kl.27230-55.

S.Kanara Collector's office,
Mangalore dated 13.1.56.

From

Sri M.G.Raja Ram,I.A.S.
Collector of South Kanara.

To

The Secretary to Government,
Health,Education and Local Administration Department,
Fort St. George Madras (in duplicate)

Sir,

LAND ACQUISITION--South Kanara- Mangalore taluk and town-Attavar- T.S.Nos.21/1 etc- For widening the Falnir Road-Draft 4(1) notification--Submitted.

The Commissioner Mangalore Municipality has applied for the acquisition of portions of T.S.Nos.34/1, 35/A, 38,21,19, 15/A, 15/B, 15/D, 15/C, 12,10/A1, 51 and 52 of Attavar for widening the Falnir road from Hampankatta to Sturrock road junction within the Mangalore Municipality.The Municipal council has approved the proposal and agreed to abide by the conditions of acquisition in resolution Nos.1203/26.6.54 and 233 dated 12.2.55. The council has also made necessary provision in the budget.The Commissioner reports that the road in question is narrow and there is hardly any space for two vehicles to pass abreast. The Director of Town Planning has approved the alignment.The di-width of the road has been kept at 50'.

2. T.S.No.21 portion of which is proposed to be notified for acquisition is Inam land standing in the name of the Milagris Church.The area proposed to be acquired contains the following improvements belonging to the church.

(1) A corner projection of the granite basement of the Grotto, on the hind portion of it to a height of about 2' to 3' and roughly 1½' long.

(2) Portion of the Parochial house consisting of a portion of the dining hall and a small store room and portion of verandah with storey.

(3)About 20' portion of a tiled building used as kitchen and store-rooms with latrines and other appurtances attached to it,

(4)Portion of ~~buildin~~- burial ground with 4 cemented memorial tombs and 60 old graves.

3. As for No.1 above, a small corner projection of the lower basement of the Grotto is involved, which can even be, without obstruction to the widening of the road, be retained as it is or even removed or repaired. This alone would not, in any way be injurious to any religious feeling or sentiments.The President of th

the Board of Administration of the church has no objection on this score. As regards Nos.2-3 the buildings involved are not consecrated to church services or used for any religious performances. Both of them are residential quarters, used for boarding and lodging by the priests and other church dignitories. They also do not form an integral part of themain church building. No.3 is altogether a separate building, and No.2 an extension wing of the main building. There is no real sentimental objection to the acquisition of these buildings. The burial ground, contains 4 memorial tombs and 60 graves. In the case of the latter, there can be no objections to acquire the portion of land as there are no memorial tablets or permanent tombs over all these burials. As regards the former the objections can be met by allowing the relatives of the deceased to take out the remains and rebury the same somewhere else.The Board of Administration of the Church once objected to the acquisition of T.S.No.21 but on an appeal by the chairman of the Municipality reconsidered the entire matter and has now withdrawn its objection. The copies of the resolution of the Board of Administration, statement of the President of the Board and the letter of the Chairman are enclosed for information.

The plots except T.S.No.21 do not contain any graves,tombs or religious edifices. The estimated cost of acquisition is Rs.6700. The acquisition is for a public purpose namely for widening the existing road. I am submitting draft notifications under Section 4(1) of the L.A.Act in respect of the above plots which may be approved and got published in the Fort St.George Gazette.

Yours faithfully,

A.C.I.EC
for Collector.

Copy to the Tahsildar,Mangalore.

Copy to the Commissioner Mangalore Municipality

Extract from the proceedings of the Mangalore Municipal council dated 12.2.1955.

E3/10870/53. This office Ref.E3/10870/53 dated the 22rd Septr 54 requesting the Land Acquisition Officer to acquire the lands as per approved plan NO.T.P.31/1954, dated the 1st June 1954 of the Director of Town Planning,Madras for widening Falnir road from Hampankatta via Milagres Church to Sturrock road junction.

2.Ref.No.M.Dis.24224/1954 dated the 9th October 1954 from the Land Acquisition Officer requesting to certify that funds are actually provided for in the budget to meet the cost of acquisition and also a council resolution agreeing to abide by the following conditions of acquisition.

1.Sanctioning funds.

2.Agreeing to pay enhanced compensation together with incidental charges if any that might be awarded by the court in the event of a reference under section 18 of the L.A.Act or an appeal therefrom.

3. Undertaking to use the land for the purpose of road and for no other purposes without the sanction of Government.

4.To use the land for that purpose within a period of two years from the date of handing over the land.

5.To restore the land to the Government if they so direct on payment of compensation awerded less 15% awarded for compulsory acquisition or of the value of land at the time of restoration whichever may be less in the event of the local body not carrying out the purpose for which the land is acquired within the specified period or using the land without the sanction of Government at any time for any purpose other than for which it is acquired.

Note. The council may agree to abide by the conditions of acquisition.The cost of acquisition is proposed to be met from the funds of to the extent of Rs.15000 provided in the budget for 55-56.

~~1955-56~~ C.R.No.283 dated 12.2.55.

NECESSARY FUNDS ARE SANCTIONED. COUNCIL AGREES TO ABIDE BY THE CONDITIONS.

Sd/ K.S.N.Adiga
Chairman,M.C.

-True copy-

S.Kanara Collector's office)
Mangalore dated -1-1956)

17.1.56
For Collector.

Extract from supplemental agenda of municipal council Mangalore dated the 26th June 1954.

I3/10870/53. Sanction of the council is requested for the acquisition of lands to widen the Falnir road from Hampankatta junction to up to Sturrock road as per approved plan No.T.P.31/54 dated the 1st June 1954.The council is also requested to agree to abide by the following conditions of acquisition. There is a provision of Rs.11000 in the Budget estimate for this ite, of work.

Conditions:-

1.Sanctioning funds

2.Agreeing to pay extra compensation if any that might be awarded by the court should the case be referred to it

3.Undertaking to use the land for the purpose of road and for no other purpose as without the sanction of Government.

4.To use the land for that purpose within a period of two years from the date of handing over the land.

5.To restore the land to the Covernment if they so direct on payment of compensation awarded less fifteen percent awarded for compulsory acquisition or of the value of land at the time of restoration whichever may be less in the event of the local body not carrying out the purpose for which the land is acquired within the specified period of using the land without the sanction of Government at any time for any purpose other than for which it is acquired

C.R.No.1203, 26.6.54

The Collector may be addressed for acquisition of necessary lands for widening as per the approved layout.The necessary funds are sanctioned, the council agrees to abide by the conditions of acquisition.

Sd/ K.S.N.Adiga
Chairman,M.C.

-True copy-

S.Kanara Collector's office)
Mangalore dated - 1-56)

19-1-56
For Collector.

Form of Notification to be issued under section 4 of the Land Acquisition Act I of 1894 as amended by Act XXXVIII of 1923

Whereas it appears to the Government of Madras that the lands specified in the schedule below and situated in Village No.86 Attavar Mangalore taluk South Kanara district is needed for a public purpose, to wit for widening the Kadir Road from Hampankatta Junction to Sturrock road Junction notice to that effect is hereby given to all whom it may concern in accordance with the provisions of section 4(1) of the Land Acquisition Act I of 1894 as amended by the Land Acquisition amendment Act XXXVIII of 1923 and His Excellency the Governor of Madras hereby authorises the Personal Assistant to the Collector of South Kanara, his staff and workmen to exercise the powers conferred by section 4(2) of the Act. Under section 3(c) of the same Act, His Excellency the Governor of Madras appoints the Personal Assistant to the Collector of South Kanara to perform the functions of a Collector under section 5-A of the Act.

Schedule.

Village: No.86 Attavar. Taluk: Mangalore District: South Kanara.

Description of land.				Names of interested parties owners, occupiers etc.	Approximate extent to be taken up
Ryotwari or Inam.	Kism.	~~Block and Ward No.~~	Town Survey No.		
Ryotwari	Dry	~~V-8~~	34-1(portion)	Registered holder: Late Sri F.P.S.Albuquerque (now deceased) Present owner and enjoyer by succession) Sri Cyril Albuquerque ~~son of F.P.S.Albuquerque~~ Heirs bazar, Booler, Mangalore.	A.C 0-01
Church Inam	Garden		35-A(portion)	Inam holder 1. Milagres Roman Catholic church Attavar, Hampankatta Mangalore- represented by the President (Rev.Father A.V.D.Souza Church ~~Board~~ Board of Administration Milagres Church.	0.22
				Tenants (Rentees of building) 1. Sri J.M.Fernandes son of M.F.Fernandes, Chemist, Press Vihar, Falnir Mangalore 2. Denis Lobo son of Antony Lobo, Cycle shop keeper, Hampankatta Mangalore 3. Sri Simon S.Rasquinha, Proprietor, Simon and Co, Hampankatta, Mangalore 4. Sri A.Venkappa son of Koragappa Hampankatta Mangalore 5. Sri L.W.Belford son of Salvador Belford, residing near Bishop compound, Jeppoo Mangalore 6. Sri James D' Rosario son of Peter Rosario, James and Co. Hampankatta, Mangalore 7. Sri Antony Fernandes son of Joachim Fernandes Medical Practitioner, Hampankatta, Mangalore 8. Sri Charles Ananda son of Simon Ananda, Hampankatta, and 9. Theodore Ananda son of Charlie Ananda, Hampankatta, Mangalore 10. Sri C.L.Lobo son of Cashmir Lobo Vakil Falnir, Mangalore	
~~Ryotwari~~ Ryotwari	~~Garden~~ Garden	~~V-8~~ (V-8)	38 (portion)	~~Tenants~~- Registered holder. Mulgenidar Milagres Roman Catholic Church, Hampankatta, Mangalore St. Antony's Charitable Institute, Jeppoo Mangalore represented by its Director Volamulgenidar	0/02 0.02

Church Inam	Garden	~~VI-1~~	21 (portion)	Inam holder	Villagres Church,Hampankatta Mangalore	0.15
Ryotwari	-do-	~~VI-1~~	19(portion)	Registered holder/ Mulgenidar	-do-	0.08
-do-	-do-	~~VI-1~~	15-A(portion)	Registered holder	St.Antony's Charitable Institute Joppoo Mangalore	
				Mulgenidar	Villagres church,Hampankatta Mangalore	0.12
-do-	-do-	~~VI-1~~	15-B(portion)	Registered holder.	St.Antony's charitable Institute,Joppoo Mangalore	
				Mulgenidars	Villagres Church,Hampankatta,Mangalore 1.	0.02
					1.Sri A.B.Anchan son of Aikala Korahappa,Falnir Road Mangalore 1	
					2.Sri B.Padduranga son of Muthappa.Bondoor,Mangalore	
				Vaidigenidar (long term lessee)	Bodeyara Bandhu Orphanage Trust,Falnir,Mangalore represented by its chairman,Sri Mangalore Jeroppa	
				Mortgagee	Late Sri Subbayya Marla,Talapady now succeeded by his son Sri Ramanatha Marla, Ullipady House,Muthur village,Mangalore taluk	
				Decree-holder	Proprietor (Sri R.M.Kini) The Mangalore City Bank,Urwa,Mangalore	
				Tenant (Rentee)	Sri A.F.Saldanha son of Marian Saldanha,Valencia,Kankanady Mangalore	
-do-	-do-	VI-1	15-(portion)	Registered holder	Villagres Church,Hampankatta Mangalore	0.01
-do-	-do-	~~VI-1~~	16-C (portion)	Registered holder;	-do-	0.05
				Mulgenidar;	Mrs.J.Learado w/o Rao Bahadur G.S.Learado c/o Antony Pereiras,Hampankatta Mangalore 1	
-do-	-do-	~~VI-1~~	12 (portion)	Registered holder:	Srimathi Rosa Mary Coelho w/o Dr.A.F.Coelho,Falnir Mangalore 1.	0.09
				Tenant(Rentee)	Sri Charles Veigas son of Antony Veigas,Falnir Mangalore	
				Sub tenants (Rentees)	1.Smt.J.Jeroppa son of Ummanna Murthi,Hampankatta Mangalore	
					2.Sri Sujir Vaman Nayak son of Sujir Padmanabha Nayak,Merchant Falnir Mangalore	
-do-	-do-	~~VI-1~~	10-A1 (portion)	Registered holder;	Mrs.A.J.Rebello w/o Sri A.J.Rebello,Falnir Mangalore	0.07
				Tenant	Sri Sujir Vaman Nayak son of S.Padmanabha Nayak,Falnir Mangalore	
-do-	Dry	~~V-1~~	51(portion)	Registered holder;	Villagres Church,Hampankatta,Mangalore	0.01
-do-	Garden	~~VI-1~~	52(portion)	Registered holder;	-do-	0.02
				Mulgenidar	Sri Ewing Pinto son of Peliir,Mangalore ex 1.	

S.Kanara Collector's office
Mangalore dated 15.1.56

19.1.56
For Collector.

Statement of Rev.Fr.A.V.D'Souza President of the Church Board of Administration,Milagres Church Mangalore obtained by the Special Revenue Inspector of L.A.Mangalore on 2.7.55.

Understood the contents of Collector's Ref.K1.8308/55 dated 29.6.55. I have to consult the church Board of administrat: as regards the proposed acquisition of land in S.No.21 of Attavar village before I give any definite opinion about the objectionability or otherwise of the proposed acquisition. I shall call an emergency meeting of the Board by Monday(4.7.55) and let our views known by the following Tuesday.Time till then may be granted.

Read by me and found correct.

19-7-55

-True copy.

Proceedings of the First Meeting of the Board of Administration Milagres,Mangalore held on Sunday the 3rd day of July 1955 at 10.30 A.M.

The subject matter of the meeting is the following.

1. xx xx

II.To decide about the acquisition notice received from the Special Revenue Inspector for Land Acquisition dated 2nd July 1955 Ref.1-6-37/64 in respect of a portion of the church plot comprising a part of Parochial House,Kitchen, Cemetery etc.

Resolved: The Board strongly objects to the Acquisition of an portion of the Church porpertylying to the South of the Hampankatta Falnir Road,since it includes a portion of the Cemetery which is highly objectionable and is apt to wound the religious sentiments of the people as it amounts to desecration of the graves of their dear departed.Besides there is also the Grotto of Our Lady of Lourdes and the Parochial House and Kitchen.

The Board has no objectin to the land being acquired along the Northern side provided adequate compensation is paid in respect of the site as well as the buildings,and the acquisition is made under the provisions of the Land Acquisition Act.

19-1-55

-True copy-

(Tr e) copy of letter dated 5th August 1955 from the Chairman Municipal Council Mangalore to The Vicar, Milagres Church Mangalor

--

Mangalore Municipality-Town Planning Milagres Church road-Widening

--

Letter No. M1.8308/55 dated 18.7.55 of the Land Acquisition Officer, enclosing a copy of the proceedings of the Church Board Meeting da 3.7.55

--

From the above proceedings of the Board of Administration of Milagres Church it is seen that the widening of the road has been strongly objected to for the reasons given in the resolution of t board. The site has been inspected by the Town Planning Officer of this Municipality with you on 29.7.55. The widening of the road has been demarcated. From the demarcation made it has been made clear that the Grotto is not at all affected and in the widening portion of the Burial ground there are only three built up tombs an others are only burials. In the case of burials it may be understoo that the place of burial and graves could be shifted. Hence the question of sentimental objections by the people does not arise. As the number of tombs are only three the same can be shifted to the o vacant place of the burial ground and rebuilt. In the interest of public at a large for whom the widening of the road is necessary for avoiding the accidents that may take place the above objections may be waived by the church board and widening agreed to.

Regarding the compensation to the buildings affected your kind attention is invited to the proceedings of the Board of Administrati of the Church held on 14.12.1951. It is also not known whether the present church board were aware of the proceedings and if it is not, the same may be placed before the board and reconsider the issue i. not claiming compensation for the buildings on the northern side except the site. Municipality will pay any reaonable compensation as may be fixed by the Land Acquisition Officer both for the land and buildings affected by the widening.

I request you to put furth the above facts before the Board of Milagres Church. It may also be explained that in view of the heavy traffic on this road and to avoid accidents and in the

(R) As for the Southern side of the road is covered by

interest of Children attending Milagres High school, the widening as proposed and demarcated is absolutely necessary. Though widening of the road is to 50' the actual metalled portion where the actual traffic is running will not be more thatn 25 feet and a sufficient road margin as platform will be left so that there will not be any vibration on the buildings beyond the widening. As the matter is pending for a number of years and the municipalityis anxious to take up the worksoon the matter may kindlybe expedited and a reply sent so that the Land Acquisition Officer canbe informed to take up the acquisition proceedings.

Sd. K.S.N.Adige,
Chairman.

-True copy-

19-1-56
For Collector

W/11

(True) copy of letter from the President Board of Administration Milagres Church,Mangalore-1 to the Chairman Municipal council Mangalore.

--

Mangalore Municipality-Town Planning - Milgares Church Road widening.

--

Your letter dated 5th August,1955 was considered by the Board of Management of the Church and the resolution passed by it is forwarded herewith.

The Board desires me to inform you that it is very anxious that the acquisition proceedings may be expedited in public intere

-True copy-

RESOLUTIO NO.1 PASSED ON 14.8.55.

In view of the letter dated 5th August,1955, of the Chairman Mangalore Municipality,regarding the acquisition of the land adjoining the Church and lying on the northern side, the Board reconsiders its resolution passed on 3.7.55 and hereby resolves to limit its claim for compensationon the northernside to only the site value. The superstructures belonging to the Church existing on the site will be removed by the Church authorities.

-True copy-

Statement of Rev.Fr.A.V.D'Souza President of the Church Board of Administration Milagres Church Mangalore obtained by the Special Revenue Inspector for Land Acquisition.

--

The Board of Administration Milagres church Mangalore has resolved to limit its claim for compensation in respect of the plots to be acquired for the extension of Milagres Church Road. The Board of Administration has also no objections to the acquisition of the site containing the burials and now under acquisition proposal. It has also no objectionto the acquisition of the portion of the Parochial house and other superstructes. The church Board of Administrationproposes to remove the superstructures existing on the northern side of the Milagres church road leading to Falnir and give the land to the Acquiring departmentonly on payment of land value.

-True copy-

19.1.56

Asst Collector

9.

CNO-7409/56.

Rev. Sectt. 19—2006—11-11-49.

GOVERNMENT OF MADRAS.

Received _____ 195 *Registered* _____ 195

Abstract.

Land Acq — ar - S. Kanara Dt - Mangalore Mpty - Uttavar Village - T.S.Nos 21/1 etc - for widening the Falnir Road - Notification under Sec 4(1) of the L.A.Act - Published.

H&L A Department.
L(4)

G.O. R. No. 104, dated the 1-2-1956.

Read—the following papers :—

1—— the Collector of S. Kanara Ref K1. 27230/55 dt 13-1-56.

(P.T.O.

ORDER.

The draft notification under section $\frac{4\ (1)}{\sout{48\ (1)}}$ of the Land Acquisition Act, submitt by the Collector of S. Kanara with his letter read above is approved ar will be published in the *Fort St. George Gazette.*

(By order of ~~His Excellency~~ the Governor of Madras.)

31.1.56

~~Asst.~~ Secretary to Government.

To the ~~Superintendent, Government Press~~ [illegible] for publication in the
" ~~Board of Revenue, Land Revenue and Settlement.~~
" Collector of S. Kanara.

CENTRAL DESPATCH UNIT
30.1.56
Date [illegible] Draftsman's Initials.

Rolling no 96
Page 127
dt 15.2.56.

Forwarded.

(By order)

Published at p 127 of Part I-A dt 15-2-56

Superintendent.

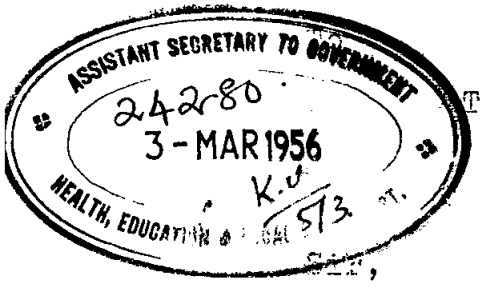
Ref.Kl.27230.55.

24

S.K.Collector's Office,
Mangalore, dated 29.2.56.

From

Sri M.G.Raja Ram, I.A.S.,
Collector of South Kanara, Mangalore.



The Secretary to Government,
Health, Education, and Local Administration Department,
Fort St.George, Madras (in duplicate)

Sir,

LAND ACQUISITION- South Kanara- Mangalore Taluk and Town- Attavar- T.S.Nos.21/1 etc- For widening the Falnir road- Notification under Section 4(1) of L.A. Act- Erratum- Submitted.

-:o:-

Ref: G.O.Rt.No.104 L.A. dated 1.2./56.

-:o:-

The notification under Section 4(1) of L.A.Act approved in the G.O.cited has been published at page 127 of Part I A of the Fort St.George Gazette dated 15.2.56. In the notification as published one of the Town Survey Nos. has been wrongly described. I am therefore submitting draft erratum to the notification which may be approved and got published in the Fort St.George Gazette.

Yours faithfully,

For Collector.

Encl. Draft Erratum.

KV/1.3.

Ref.Kl.27230.55.

S.K.Collector's Office,
Mangalore, dated 29.2.56.

From

Sri M.G.Raja Ram, I.A.S.,
Collector of South Kanara, Mangalore.

To

The Secretary to Government,
Health, Education, and Local Administration Department,
Fort St.George, Madras (in duplicate)

Sir,

LAND ACQUISITION- South Kanara- Mangalore Taluk and Town- Attavar- T.S.Nos.21/1 etc- For widening the Falnir road- Notification under Section 4(1) of L.A. Act- Erratum- Submitted.

-:o:-

Ref: G.O.Rt.No.104 L.A. dated 1.2./56.

-:o:-

The notification under Section 4(1) of L.A.Act approved in the G.O.cited has been published at page 127 of Part I A of the Fort St.George Gazette dated 15.2.56. In the notification as published one of the Town Survey Nos. has been wrongly described. I am therefore submitting draft erratum to the notification which may be approved and got published in the Fort St.George Gazette.

Yours faithfully,

3/4

For Collector.

Encl. Draft Erratum.

KV/1.3.

1/3

ERRATUM TO THE NOTIFICATION UNDER SECTION 4(1)OF L.A.ACT.

-:o:-

In the notification under Section 4(1) of Land Acquisition Act I of 1894 as amended by the Land Acquisition(Amendment)Act XXXVIII of 1923, published as notification No.94 at page 127 of Part I A of the Fort St.George Gazette dated 15.2.56 in respect of lands required for the widening of Falnir Road in Attavar village in Mangalore Taluk of South Kanara District.

For"T.S.No.54/1" read"T.S.No.34/1"

S.K.Collector's Office,
Mangalore,dated 29.2.56

For Collector.

C. No. 24280/58. M7

Rev. Sectt. 21—3,004—13-11-45.

GOVERNMENT OF MADRAS.

Received 16/19.3 194 *Registered* 194 .

Abstract.

Land Acquisition – South Kanara District – Mangalore Taluk – Attavar village – T. S. Nos. 21/1 etc. – For widening the Falnir Road – Erratum to the Notification under Sec. 4(1) of the L.A. Act – Published.

HELA L4 DEPARTMENT.

Memo. ~~G.O.R.~~ No. 24280 L4/58-1, dated the 17.3.58. 194 .

(R) READ—the following papers :— G.O.Rt.No. 104 LA. dt. 1.2.58. (R)
1 c.f. —from the Collr. of S. Kanara, Pro. Ref. K1. 27230.55 dt. 29.2.58 plus

~~ORDER.~~

The draft erratum to the notification under Section 4 (1) ~~and the draft declaration under Section 6~~ of the Land Acquisition Act submitted by the Collr. of S. Kanara with his letter c.s.f. read above are approved and are forwarded to the Superintendent, Government Press, for publicatior ~~The erratum should be published in English~~ in the *Fort Saint George Gazett* and the declaration should be published in English in the *Fort Saint Georg Gazette* and in in the District Gazette. The Superintendent, Government Press, is requested to see that the erratum and the declaration are published in successive issues (not in the same issue) of the *Fort Saint George Gazette*, the erratum being published earlier.

[P.T.O.

~~(By Order of His Excellency the Governor of Madras.)~~

CENTRAL DESPATCH BRANCH

Secretary to Government.

To the ~~Superintendent~~, Government Press, with an erratum ~~and a declaration in diglott~~ for publication. — 3 c.f.

" Board of Revenue.

" Collector of S. Kanara

Note: After issue the papers may be filed with G.O. Ms. No. 104. L.A., dated 1-2-58.

~~Forwarded.~~

(~~By order~~)

~~Superintendent~~